EXHIBIT K

October 21, 2021

		Page 1				Page 3
1	UNITED STATES DIS		1 2	ROBERT MOSER	INDEX	DAGE
2	NORTHERN DISTRICT O	F CALIFORNIA	3		By Mr. Mullanax	PAGE 5
3	-000-		4	BARRITIACION	by Mr. Mulianax	3
4	Frederick (Ric) Schiff; Glenn Brakel; Alice)	5		* * *	
5	Dicroce; Joseph Emanuel;)	6			
5	Brian Greer; Clayton)			EXHIBITS	
6	Harmston; Steven Haskell;)	7	EXHIBIT	DECONIDEION	DACE
0	Micah Hope; Daniel Kelly;)	8	FYHIBII	DESCRIPTION	PAGE
7	Alexander Lentz; Brandon)	"	Exhibit 1 -	** CONFIDENTIAL PURSUANT TO	11
,	McKelley; Gerald Newbeck;)	9		PROTECTIVE ORDER ** Q-50	
8	David O'Keeffe; Christopher)			Secondary Criteria	
U	Ritter; Steven Uang and)	10		Recommendations, Name: Bob	
9	Thomas Walsh,)	1.1		Moser [CCSF 008611-623]	
-	THOMAS HAISH,)	11	Evhihit 2 -	** Confidential Pursuant To The	14
10	Plaintiff,)	12	EAHIDIC Z	Protective Order ** Q-60	1.1
	,) Case 4:19-CV-03260-YGR			Secondary Criteria	
11	v.)	13		Recommendations - Name: Moser	
)			[CCSF 008751-755]	
12	City and County of San)	14	- 1 11 11 2		1.0
	Francisco; Greg Suhr,)	15	Exhibit 3 -	** Confidential Pursuant To The	16
13	individually; William)	15		Protective Order ** Q-80 Captains Secondary Criteria	
	(Bill) Scott, individually;)	16		Recommendations - Name: Moser	
L4	and DOES 1-20,)			[CCSF 008820-21]	
	·)	17			
15	Defendants.)		Exhibit 4 -	** Confidential Pursuant To The	16
)	18		Protective Order ** Q-50	
.6			19		Sergeants Secondary Criteria Recommendations, Name: Moser	
7	VIDEOCONFERENCED DEPOSITI	ON OF ROBERT MOSER	13		[CCSF 008695-701]	
L8	** Confidential Pursuant to t	he Protective Order **	20		[CCD1 000033 701]	
19				Exhibit 5 -	** Confidential Pursuant to	17
20	Taken via	Zoom	21		Protective Order ** Q-60	
21	On Thursday, Octob	er 21, 2021			Lieutenants Secondary Criteria	
22	At 10:04 a	.m.	22		Recommendations, Name: Moser	
23			23		[CCSF 008788-8790]	
24			24			
25	Reported by: Emily A. Gibb,	RPR, CSR, CCR	25			
—		Page 2				Dogo
1	APPEAR		1		E X H I B I T S (Continued)	Page 4
2	For the Plaintiffs:	CANCED	2	EXHIBIT	DESCRIPTION	PAGE
			3		** Confidential Pursuant to	18
3	M. Greg Mullanax,	=		DANIEDIC O	Protective Order ** Q-80	10
	LAW OFFICE OF M.		4		Captains Secondary Criteria	
4	2140 North Winery	Avenue			Recommendations, Name: Moser	
	Suite 101		_			
			5		[CCSF 008845-46]	
5	Fresno, Californi	a 93703	6	Exhibit 7 -	[CCSF 008845-46] November 20, 2018 Email from	19
5	Fresno, Californi (559) 420-1222	a 93703	6	Exhibit 7 -	November 20, 2018 Email from Bob Moser Re: Promotion	19
5 6		a 93703		Exhibit 7 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics	19
	(559) 420-1222	a 93703	7	Exhibit 7 -	November 20, 2018 Email from Bob Moser Re: Promotion	19
6	(559) 420-1222	a 93703	6		November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167]	
6	(559) 420-1222 greg@lawmgm.com	a 93703	7		November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob	19 25
6	(559) 420-1222 greg@lawmgm.com For the Defendants:		7		November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion	
6 7 8	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan,	Esq.	6 7 8 9		November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics	
6 7	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es	Esq. q.	6 7 8 9	Exhibit 8 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740	25
6 7 8	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es	Esq. q. Y ATTORNEY	6 7 8 9	Exhibit 8 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client	
6 7 8	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree	Esq. q. Y ATTORNEY	6 7 8 9 10 11	Exhibit 8 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants	25
6 7 8 9	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor	Esq. :q. :Y ATTORNEY :t	6 7 8 9	Exhibit 8 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria	25
6 7 8 9	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CII 1390 Market Stree Fifth Floor San Francisco, Ca	Esq. :q. :Y ATTORNEY :t	6 7 8 9 10 11	Exhibit 8 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants	25
6 7 8 9	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700	Esq. eq. ey ATTORNEY et difornia 94102	6 7 8 9 10 11	Exhibit 8 - Exhibit 9 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations	25
6 7 8 9	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci	Esq. eq. Y ATTORNEY et dlifornia 94102 tyatty.org	6 7 8 9 10 11 12	Exhibit 8 - Exhibit 9 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828]	25 29
6 7 8 9	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700	Esq. eq. Y ATTORNEY et dlifornia 94102 tyatty.org	6 7 8 9 10 11 12	Exhibit 8 - Exhibit 9 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client	25
6 7 8 9 0	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci	Esq. eq. Y ATTORNEY et dlifornia 94102 tyatty.org	6 7 8 9 10 11 12 13 14	Exhibit 8 - Exhibit 9 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations	25
6 7 8 9 0 1 2	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci	Esq. eq. Y ATTORNEY et dlifornia 94102 tyatty.org	6 7 8 9 10 11 12 13 14	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653]	25
6 7 8 9 0 1 2 3 4	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. Y ATTORNEY et dlifornia 94102 tyatty.org	6 7 8 9 10 11 12 13 14	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client	25
6 7 8 9 0 1 2 3 4 5	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. Y ATTORNEY et dlifornia 94102 tyatty.org	6 7 8 9 10 11 12 13 14 15 16 17	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant	25
6 7 8 9 0 1 2 3 4 4 5 6	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. Y ATTORNEY et dlifornia 94102 tyatty.org	6 7 8 9 10 11 12 13 14 15	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 *** Confidential/Attorney Client Privilege *** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] *** Confidential/Attorney Client Privilege *** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege *** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege *** Q-60 Lieutenant Secondary Criteria	25
6 7 8 9 10 11 12 13 14 15 16	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. Y ATTORNEY et dlifornia 94102 tyatty.org	6 7 8 9 10 11 12 13 14 15 16 17	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations	25
6 7 8 9 10 11 11 12 13 14 15 16 17 18	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. ey ATTORNEY et clifornia 94102 etyatty.org eityatty.org	6 7 8 9 10 11 12 13 14 15 16 17 18	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858]	25 29 30
6 7 8 9 10 11 12 13 14 15 16 17 18 19	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. ey ATTORNEY et clifornia 94102 etyatty.org eityatty.org	6 7 8 9 10 11 12 13 14 15 16 17	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client	25
6 7 8 9 10 11 12 13 14 15 16 17 18	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. ey ATTORNEY et clifornia 94102 etyatty.org eityatty.org	6 7 8 9 10 11 12 13 14 15 16 17 18	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-80 Captain	25 29 30
6 7 8 9 10 11 12 13 14 15 16 17 18 19 220	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. ey ATTORNEY et clifornia 94102 etyatty.org eityatty.org	6 7 8 9 10 11 12 13 14 15 16 17 18	Exhibit 8 - Exhibit 9 - Exhibit 10 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-80 Captain Secondary Criteria	25 29 30
6 7 8 9 10 11 12 13 14 15 16 17 18 19 220 221	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. ey ATTORNEY et clifornia 94102 etyatty.org eityatty.org	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Exhibit 8 - Exhibit 9 - Exhibit 10 - Exhibit 11 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-80 Captain	25 29 30
6 7 8	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. ey ATTORNEY et clifornia 94102 etyatty.org eityatty.org	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Exhibit 8 - Exhibit 9 - Exhibit 10 - Exhibit 11 - Exhibit 12 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-80 Captain Secondary Criteria	25 29 30
6 7 8 9 110 111 112 113 114 115 116 117 118 119 220 221 222	(559) 420-1222 greg@lawmgm.com For the Defendants: Peter A. Cownan, Caroline Page, Es OFFICE OF THE CIT 1390 Market Stree Fifth Floor San Francisco, Ca (415) 554-4700 peter.cownan@sfci caroline.page@sfc	Esq. eq. ey ATTORNEY et clifornia 94102 etyatty.org eityatty.org	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Exhibit 8 - Exhibit 9 - Exhibit 10 - Exhibit 11 -	November 20, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030163-30167] December 4, 2018 Email from Bob Moser Re: Promotion Demographics [CCSF 030168-301740 ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations 9CCSF 020821-828] ** Confidential/Attorney Client Privilege ** Q-50 Sergeants Secondary Criteria Recommendations [CCSF 031650-1653] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-60 Lieutenant Secondary Criteria Recommendations [CCSF 020854-858] ** Confidential/Attorney Client Privilege ** Q-80 Captain Secondary Criteria	25 29 30

October 21, 2021 5–8

	Page 5		Page 7
1	PROCEEDINGS	1	
2	-000-	2	by the SFPD?
3	Thereupon	3	A. I was hired in January of 1995.
4	Robert Moser,	4	Q. And could you give us a brief overview of
5	was called as a witness, and having been first duly	5	your career with the San Francisco Police Department?
6	sworn to tell the truth, the whole truth, and nothing	6	A. Sure. I spent approx approximately seven
7	but the truth, testified as follows:	7	years as a patrol officer assigned to downtown, say,
8		8	well, I was assigned to Northern Station, and then I
9	EXAMINATION	9	spent a significant amount of time at Southern
10	BY MR. MULLANAX:	10	Station as a patrol officer.
11	Q. Good morning, Chief Moser. My name is Greg	11	Promoted to sergeant and spent my time as a
12	Mullanax and I represent the plaintiffs in this case	12	sergeant at Tenderloin Station, probably about
13	and we're here to take your deposition today. I	13	five five years or so.
14	think we'll be done in less than an hour, so	14	Promoted to lieutenant and I spent two years
15	hopefully that won't cause you too much problem in	15	as a lieutenant approximately assigned to Central
16	your daily schedule.	16	Station.
17	But first of all, I'd like to ask you: Did	17	Then I was transferred to head the
18	you review any documents in preparation for your	18	Department of Internal Affairs unit at which at the
19	deposition testimony today?	19	time was called referred to as Management Control
20	A. I did not.	20	Division. I did that for, I believe it was close to
21	Q. Okay. Do you have you been deposed	21	four years.
22	before?	22	And then from there, I was transferred as a
23	A. Yes.	23	lieutenant to the Bay View Police Station.
24	Q. How how many times have you been deposed,	24	From Bay View, I was promoted to captain. I
25	do you remember?	25	was captain at Mission Station. Did that for a
	Page 6		Page 8
1	A. I don't remember the exact number. Probably	1	little over two years or so.
2	around five.	2	I was promoted to commander. I was
3	Q. Okay. Just to remind you, and I'm sure	3	commander of investigations approximately a year.
4	you've testified in court several times over your	4	I was transferred to the Field Operations
5	career, but your testimony today is under oath and it	5	Bureau and I was commander of the Metro, which are
6	has the same force and effect as if you were	6	the downtown stations for approximately two years.
7	testifying in court before a judge and a jury.	7	And from there, I was promoted to deputy
8	Do you understand that?	8	chief. I was deputy chief of Administration Bureau
9	A. I do.	9	for approximately two years there.
10	Q. Okay. And just another admonition, I guess.	10	And then from there, I was appointed to my
11	If I ask you a question and you don't understand it,	11	current position as assistant chief, chief of staff.
12	please let us know. If if you answer a question,	12	And I've been in that position since May of 2019.
13	it will be presumed later on that you understood it.	13	Q. Now, sir, when you were do you remember
14	Does that make sense?	14	
15	A. Yes.	15	chief?
16	Q. Okay. And also, don't want you to speculate	16	A. Chief Scott.
17	on anything. So if I ask you a question today and	17	Q. Okay. And do you remember what year that
18	you don't know the answer, don't have any personal	18	was?
19	knowledge, it's perfectly acceptable to tell us that	19	A. I believe it was in 2017.
20	and say you don't know.	20	Q. Now, when did you first become involved in
21	Do you understand that?	21	the promotional process? Was that in your role as
22	A. Yes.	22	deputy chief?
23	Q. Okay. First of all, as we get started, I'd	23	A. That's correct.
24	like to could you give us just a general brief	24	Q. Okay. And in your role as deputy chief
25	background of your employment with the San Francisco	25	regarding the promotional process, I guess that would
		1	



October 21, 2021 9-12

SC	CHIFF V. CITY OF SAN FRANCISCO		9–12
	Page 9		Page 11
1		1	A. I would have to know what the what the
	process?	2	dates of those were.
3	A. So I would have participated in the	3	Q. I think they were in October.
4	secondary criteria process with the other deputy	4	A. If they were in October, yes.
5	chiefs and assistant chiefs.	5	Q. Okay. I'm going to what I'm going to do
6	Q. And what could you please describe that	6	is I'm going to pull up we don't have a date on
7	process for us?	7	this document, but I'm going to pull it up and see if
8	A. Secondary criteria process is a process of	8	you can let me see. Let me get that.
9	reviewing a prospective promotee's secondary criteria	9	Okay. Chief, can you see this document here
10	packet.	10	that I've shared on the screen?
11	Q. And is in that process, did you meet with	11	A. Yes.
12	other deputy chiefs and other people on the, I guess	12	Q. Okay. And for the record, it's a
13	the committee that was to review those secondary	13	thirteen-page document, and it starts with page
14	criteria documents?	14	number CCSF8611 and the last page is CCSF8623.
15	MR. COWNAN: I'm going to object to the	15	(Exhibit 1 was marked for
16	form.	16	identification.)
17	But you can answer, sir.	17	BY MR. MULLANAX:
18	MR. MULLANAX: Yeah, it wasn't a very well	18	Q. Do you recognize that document?
19		19	-
20	MR. COWNAN: It was only because you said,	20	Q. And what is it?
21		21	A. It is a secondary criteria comment sheet for
22		22	
23	MR. MULLANAX: Yeah.	23	
24			top?
24			
25		25	•
	Q. Could Chief, if you could describe when		A. Yes.
25	Q. Could Chief, if you could describe when Page 10	25	A. Yes.
25	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is	25 1	A. Yes. Page 12 Q. And is that your handwriting on this
25 1 2	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is that process?	25 1 2	A. Yes. Q. And is that your handwriting on this document?
1 2 3	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to.	25 1 2 3	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes.
1 2 3 4	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary	1 2 3 4	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for.
1 2 3 4 5	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the	25 1 2 3 4 5	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make
1 2 3 4 5 6	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails.	25 1 2 3 4 5 6	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet
1 2 3 4 5 6 7	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy	1 2 3 4 5 6 7	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review.
1 2 3 4 5 6 7 8	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it	1 2 3 4 5 6 7 8	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you
1 2 3 4 5 6 7 8 9	Q. Could Chief, if you could describe when Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy	1 2 3 4 5 6 7 8 9	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary
1 2 3 4 5 6 7 8 9	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and	1 2 3 4 5 6 7 8 9	A. Yes. Page 12 Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria?
1 2 3 4 5 6 7 8 9 10	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's	1 2 3 4 5 6 7 8 9 10 11	A. Yes. Page 12 Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes.
1 2 3 4 5 6 7 8 9 10 11 12	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you.	1 2 3 4 5 6 7 8 9 10 11 12	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you
1 2 3 4 5 6 7 8 9 10 11 12 13	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They	1 2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria?
1 2 3 4 5 6 7 8 9 10 11 12 13 14	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They	25 1 2 3 4 5 6 7 8 9 10 11 12 13 14	A. Yes. Page 12 Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No	25 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to
1 2 3 4 5 6 6 7 8 9 100 111 122 133 144 155 166	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No discussion. Then it gets passed around the around	25 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Page 12 Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to page two of the exhibit just to kind of get an idea.
1 2 3 4 5 6 6 7 8 9 100 111 122 133 144 155 166 177	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No discussion. Then it gets passed around the around the around the room, and it goes through every	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to page two of the exhibit just to kind of get an idea. I noticed it looks like a lot of your
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No discussion. Then it gets passed around the around the around the room, and it goes through every candidate that's within within the purview during	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to page two of the exhibit just to kind of get an idea. I noticed it looks like a lot of your comments relate to the applicant's educational
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 19	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No discussion. Then it gets passed around the around the around the room, and it goes through every candidate that's within within the purview during that process.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to page two of the exhibit just to kind of get an idea. I noticed it looks like a lot of your comments relate to the applicant's educational background; is that correct?
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No discussion. Then it gets passed around the around the around the room, and it goes through every candidate that's within within the purview during that process. Q. And once you're finished with that process,	25 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to page two of the exhibit just to kind of get an idea. I noticed it looks like a lot of your comments relate to the applicant's educational background; is that correct? A. Yes, some of them are. Yes.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No discussion. Then it gets passed around the around the around the room, and it goes through every candidate that's within within the purview during that process. Q. And once you're finished with that process, is that the end of your participation in the	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to page two of the exhibit just to kind of get an idea. I noticed it looks like a lot of your comments relate to the applicant's educational background; is that correct? A. Yes, some of them are. Yes. Q. Okay. And again
1 2 3 4 4 5 6 6 7 8 9 100 111 122 133 144 155 166 177 188 199 200 211 222	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No discussion. Then it gets passed around the around the around the room, and it goes through every candidate that's within within the purview during that process. Q. And once you're finished with that process, is that the end of your participation in the promotional process?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to page two of the exhibit just to kind of get an idea. I noticed it looks like a lot of your comments relate to the applicant's educational background; is that correct? A. Yes, some of them are. Yes. Q. Okay. And again MR. MULLANAX: And I don't think, Peter, we
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 10 you review the secondary criteria, what exactly is that process? A. Sure. I'd be happy to. So the each promotee submits a secondary criteria packet. That's basically outlined in the promotive process of what that packet entails. When the review process with the deputy chiefs and assistant chiefs occurs, basically what it is is that everybody, all those parties, the deputy chiefs and the assistant chiefs are in a room and each one receives a packet. Basically, it's Candidate No. 1, what have you. The first person reviews that packet. They review it independently. There's no discussion. It gets passed to the next person. They review it. No discussion. Then it gets passed around the around the around the room, and it goes through every candidate that's within within the purview during that process. Q. And once you're finished with that process, is that the end of your participation in the promotional process? A. Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. And is that your handwriting on this document? A. It appears so, yes. Q. Now, tell us what you use this form for. A. This is used to take notes and make recommendations on any particular candidate or packet that you could review. Q. So you have this this document with you when you're reviewing the sergeants secondary criteria? A. Yes. Q. And these are your notes based on what you see in the secondary criteria? A. Yes. Q. Okay. And then, I'm just flipping now to page two of the exhibit just to kind of get an idea. I noticed it looks like a lot of your comments relate to the applicant's educational background; is that correct? A. Yes, some of them are. Yes. Q. Okay. And again MR. MULLANAX: And I don't think, Peter, we stated this at the beginning, but this will be



25 rounds of 2017?

25 basis, so we can have this declared a confidential

October 21, 2021 33–36

SC	CHIFF V. CITY OF SAN FRANCISCO		33–36
1	Page 33 record. No. 11 is a five-page exhibit, starting off	1	Page 35 Now, during the promotional process, let's
2	with page CCSF 20854 and it goes through CCSF 20858.	2	say since 2017, did you ever have any discussions
3	So now I'm back on page 1 of Exhibit 11.	3	with Chief Scott about any of the individual
4	And Chief, do you recognize this document?	4	candidates for promotion?
5	THE WITNESS: Yes.	5	A. No, not that I recall.
6	BY MR. MULLANAX:	6	Q. Did did he ever call you or because my
7	Q. And what is it?	7	understanding is that the chief was appointed back in
8	A. This is a a secondary criteria	8	early 2017. And then these first round of promotions
9	recommendation and note sheet for lieutenants exam.	9	were done around October of 2017.
10		10	Do you know, did he ever talk with you about
11	•	11	any of the candidates on his own volition since he
12			was new to the department?
13		13	•
14	-		A. Are you referring to a specific date? Could
15		14 15	you clarify that?
16			Q. Yeah, let's say in 2017, when the
	•	16	promotional rounds going on then, did Chief Scott
17	·	17	ever contact you to ask you about any of the individual candidates that were up for promotion?
18	.	18	A. No.
19		19	
20	, ,	20	Q. So is it safe to say that you had no
21	on our last one here. This is going to be	21	conversations at all with Chief Scott about any of
22		22	the promotions in the let's say the rounds of 2017?
23	`	23	
24	,	24	A. That's correct.
25	///	25	Q. Okay. Then would the same thing apply to
1	Page 34 BY MR. MULLANAX:	1	Page 36 the rounds in 2018 and 2019?
2	Q. And it's one-page document and it's page	2	MR. COWNAN: You're asking him if he if
3	number CCSF 20864.	3	he had specific conversations or conversations about
4	Do you see this document, sir?	4	specific candidates, correct?
5	A. Yes.	5	MR. MULLANAX: Yes, with Chief Scott.
6	Q. And what is it?	6	THE WITNESS: I don't recall those, any
7	A. This is the secondary criteria	7	conversations.
8	recommendation and note sheet for the captain exam.	8	MR. MULLANAX: Okay. Can we take I think
9	Q. And is this your do you recognize the		I'm finished, but can we take maybe a five-minute
10		10	break?
11		11	MR. COWNAN: Yeah, let's go off the record.
12		12	MR. MULLANAX: Okay. Let's go off the
13		13	record.
14		14	(Short recess taken.)
15		15	MR. MULLANAX: All right. I just have a
16		16	couple more questions. We are back on the record
17		17	with Chief Moser.
18		18	BY MR. MULLANAX:
19	- •	19	Q. Chief, do you realize that even though we
20	·	20	took a break, you're still under oath?
21		21	A. Yes.
22		22	Q. Okay. I've just got a couple follow-up
23			
23	•	23	questions for you and then we'll be finished.

Oh, I forgot to -- the last document. What

25 was -- I just want to make sure my notes are correct.

Do you recall after the -- the rounds of

25 promotions back in 2017 and 2018, do you recall

24

October 21, 2021 41–42

	Page 41
1	Case: Frederick (Ric) Schiff vs. City and County of
2	San Francisco Civil No: 4:19-cv-03260-YGR
3	Reported By: Emily A. Gibb, RPR, CSR, NV CCR 709 Date Taken: Thursday, October 21, 2021
4	Date Taken. Thursday, October 21, 2021
5 6	WITNESS CERTIFICATE
7	I, Robert Moser, HEREBY DECLARE:
8	That I am the witness in the foregoing transcript; that I have read the transcript and know
9	the contents thereof; that with these corrections, I
10	have noted this transcript truly and accurately reflects my testimony.
11	PAGE-LINE CHANGE-CORRECTION REASON
12	
12	
13	
14	
1	
15	
16	
17	No corrections were made.
18	I, Robert Moser, deponent herein, do hereby
19	certify and declare under penalty of perjury the within and foregoing transcription to be true and
	correct.
20	
21	Robert Moser, Deponent
22	SUBSCRIBED and SWORN to at, 2021.
23	, this day of, 2021.
24	Watana Dahita
24 25	Notary Public
	D 40
	Page 42
1	Page 42
1 2	Page 42 REPORTER'S CERTIFICATE
2	REPORTER'S CERTIFICATE
2	REPORTER'S CERTIFICATE STATE OF UTAH)
2	REPORTER'S CERTIFICATE STATE OF UTAH))
2 3 4	REPORTER'S CERTIFICATE STATE OF UTAH))
2 3 4 5	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH)
2 3 4 5 6	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand
2 3 4 5 6 7	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby
2 3 4 5 6 7 8	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby
2 3 4 5 6 7 8	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify:
2 3 4 5 6 7 8 9	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken
2 3 4 5 6 7 8 9 10	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the
2 3 4 5 6 7 8 9 10 11	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under
2 3 4 5 6 7 8 9 10 11 12 13	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down
2 3 4 5 6 7 8 9 10 11 12 13 14	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof. I have subscribed my name on this 4th
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof. I have subscribed my name on this 4th
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof. I have subscribed my name on this 4th
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	REPORTER'S CERTIFICATE STATE OF UTAH) (COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof. I have subscribed my name on this 4th day of November, 2021.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	REPORTER'S CERTIFICATE STATE OF UTAH) COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof. I have subscribed my name on this 4th
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	REPORTER'S CERTIFICATE STATE OF UTAH) (COUNTY OF UTAH) I, EMILY A. GIBB, a Certified Shorthand Reporter and Registered Professional Reporter, hereby certify: THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof. I have subscribed my name on this 4th day of November, 2021.